

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

TIMOTHY P. KEARNEY, JR.,  
Plaintiff,

v.

Civil Action No. 05-10095-RWZ

MAY DEPARTMENT STORES a.k.a. FILENE'S, et al.,  
Defendants.

ORDER ON APPLICATION TO  
PROCEED WITHOUT PREPAYMENT OF FEES

Now before the Court is plaintiff's application to proceed without prepayment of fees and affidavit under 28 U.S.C. § 1915:

The application to proceed without prepayment of fees is:

GRANTED.

**G** DENIED for the following reason(s):

**G** The Clerk shall return the complaint to the undersigned for screening on the merits pursuant to 28 U.S.C. §§ 1915(e)(2) and summonses shall NOT issue pending the completion of screening on the merits.

The Clerk shall issue summonses and the United States Marshal shall serve a copy of the summons, complaint, and this order upon defendant(s) as directed by plaintiff with all costs of service to be advanced by the United States.

SO ORDERED.

1/19/05  
DATE

/s/ Rya W. Zobel  
RYA W. ZOBEL  
UNITED STATES DISTRICT JUDGE